

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 CURTIS PEDERSON,

12 Plaintiff,

13 v.

14 NOVARTIS PHARMACEUTICALS
CORPORATION,

15 Defendant.
16

CASE NO. 3:20-cv-05216-RJB

ORDER GRANTING PLAINTIFF'S
MOTION TO STAY

17 THIS MATTER comes before the Court on Plaintiff Curtis Pederson's Motion to Stay.
18 Dkt. 29. The Court has considered the pleadings filed in support of and in opposition to the
19 motion and the remaining file.

20 Plaintiff's claims arise out of injuries allegedly sustained because of Novartis' failure to
21 warn of risks associated with a drug it manufactured called Tasigna, which is used to treat
22 chronic myeloid leukemia. Dkt. 1. On July 29, 2021, there will be a hearing on a motion to
23 transfer under 28 U.S.C. § 1407 before the Judicial Panel on Multidistrict Litigation ("JPML")
24

1 to determine whether to consolidate 19 federal Tassigna-based cases, including Plaintiff's, that are
2 pending in 12 federal district courts. Dkt. 29. Plaintiff moves to stay discovery and all other
3 proceedings pending resolution of that motion. *Id.* For the following reasons, Plaintiff's motion
4 should be granted.

5 A district court has broad discretion to control its own docket," which includes the
6 discretion to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 683 (1997). When deciding a
7 motion to stay, a district court should consider the interests of judicial economy and efficiency
8 and potential prejudice. *Rivers v. Walt Disney Co.*, 980 F. Supp. 1358, 1360 (C.D. Cal. 1997).


9 The hearing on the motion to transfer is set for later this month. According to Plaintiff, a
10 decision on that motion is expected by early August 2021. A one-month stay of proceedings will
11 not prejudice Defendant. It would, however, be in the interest of judicial economy and
12 efficiency. At least two other district courts with Tassigna cases pending before the same JPML
13 have reached the same conclusion. *See Burke v. Novartis Pharm. Corp.*, Case No. 2:20-cv-
14 02032 (W.D. Ark. June 28, 2021); *Garland v. Novartis Pharm. Corp.*, Case No. 3:20-cv-00269
15 (S.D. Ill. 2021).

16 Therefore, Plaintiff's Motion to Stay (Dkt. 29) **IS GRANTED**. This case is stayed until
17 **Friday, August 13, 2021**.

18 **IT IS SO ORDERED.**

19 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
20 to any party appearing *pro se* at said party's last known address.

21 Dated this 9th day of July, 2021.

22 

23 ROBERT J. BRYAN
24 United States District Judge